

SEP 28 1999 1397

PACIFIC FISHERY MANAGEMENT COUNCIL

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September 23, 1999

CALFED Bay-Delta Program
1416 Ninth Street, Suite 1155
Sacramento, CA 95814

Re: Comments on Draft Programmatic Environmental Impact Statement/Environmental Impact Report (EIS/EIR)

To Whom It May Concern:

The Pacific Fishery Management Council (Council) was created by the Magnuson-Stevens Fishery Conservation and Management Act (Magnuson-Stevens Act) in 1976 with the primary role of developing, monitoring, and revising management plans for fisheries conducted within federal waters off Washington, Oregon, and California. Subsequent congressional amendments in 1986, 1990 and in 1996 added emphasis to the Council's role in fishery habitat protection. Amendments in 1996 directed the National Marine Fisheries Service, as well as the regional fishery management councils, to make recommendations regarding federal or state agency activities that may affect the "Essential Fish Habitat" (EFH) of a fishery under its authority. The Magnuson-Stevens Act's amendments also require that threats to EFH be identified and conservation and enhancement measures be described that minimize those adverse impacts. Dam operations, water diversions, gravel removal, pollution, and many other activities taking place in the Sacramento - San Joaquin River System as well as the Delta Estuary (Bay-Delta) adversely affect Council-managed fish species including, but not limited to, chinook and coho salmon.

Three Council-managed fish stocks -- Sacramento winter-run chinook salmon (*endangered*), central valley spring-run stocks (*threatened*), and central California coho salmon (*threatened*) are listed under the Endangered Species Act (ESA). Ocean fisheries off California are highly constrained to reduce impacts to these stocks. Other species of concern that will be affected by CALFED include ESA listed splittail, Delta smelt, and steelhead (central valley and California coastal evolutionary significant units). Other Council-managed species affected by CALFED operations include groundfish, coastal pelagic species, and non-listed salmon species. While progress has been made in fish habitat protection in the Bay-Delta operations as well as the central valley through the Central Valley Project Improvement Act, there is still more work to do.

Our specific concerns regarding the draft environmental impact statement's (DEIS's) preferred alternative include:

WATER QUANTITY AND FLOW PATTERNS: Recovery of these species and stocks will depend on guaranteed water released at the appropriate times in the Bay and Delta for the purpose of restoring fish populations. Preference should be given to options that reduce the demand for additional water diversions.

Existing diversions and future potential physical change, whether in channel or off stream, must be constrained and operated with the goal of restoring hydrodynamic function and ecosystem health in the Delta, San Joaquin, and Sacramento River Basins.

The CALFED objective should be to remove hydro-dynamic function as a limiting factor to the recovery of salmon.

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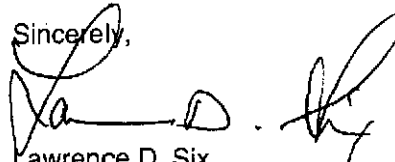
WATER QUALITY: Targets should be based on indicators of ecological health and aggressively reduce the amount of pesticides and other toxins, and improve water quality.

HABITAT RESTORATION: Targets should be performance driven and aggressively restore fish habitats, including floodplains, spawning grounds, and migratory corridors.

DAMS: We are concerned about the DEIS's surface storage language in its Watershed Management Strategy (i.e., dam construction). Dams have numerous adverse impacts on fish populations and their habitats. Dams that have outlived their usefulness should be decommissioned, and new dams, on anadromous and migratory fish waters, should be avoided. We encourage you to seek alternatives to avoid dam construction including water conservation and water-use efficiency. Groundwater storage may also provide a far more cost effective and environmentally compatible way to store water for agricultural, urban, and environmental use.

ANALYSIS: Sound planning and ecological restoration will depend on sound analysis. We are concerned the preferred alternative rests on a flawed analysis that overstates California's projected water demand.

The Bay-Delta is an invaluable ecological component of the Sacramento-San Joaquin River System providing an important contribution to commercial and recreational fisheries. We encourage you to institute measures which will provide the greatest benefit to the Bay-Delta ecosystem and its numerous fishery resources.

Sincerely,

Lawrence D. Six
Executive Director

LDS:rdh

- c: Mr. Zeke Grader, Pacific Coast Federation of Fisherman's Association
Mr. Robert Hight, California Department of Fish and Game
Mr. Jim Lecky, National Marine Fisheries Service, Southwest Region